

REMARKS

Claims 1-8 and 10 are all the claims pending in the application. The Examiner rejects all of the pending claims under 35 U.S.C. § 103(a) as being unpatentable over the newly-cited Hou et al. (Hou) in view of the previously-cited Kaplan.

Applicant thanks the Examiner in advance for considering the arguments presented below and telephoning Applicant's representative if any issues preventing this case from proceeding to allowance remain unresolved.

Applicant respectfully traverses the Examiner's rejection as follows.

As explained in Applicant's Amendment filed June 19, 2003, and Response filed December 11, 2004, Applicant's claimed invention provides a telecommunication system, a switch for use in telecommunication, and a method for use in telecommunication, where a user of a first terminal may call a user of a second terminal, and, if the user of the second terminal is unavailable, a switch establishes a connection between the first terminal and a memory so that the user of the first terminal may leave a message for the second terminal, "said message being associated with a specific signal generated by said first terminal" (see claims 1, 5 and 10). The user of the second terminal may then automatically receive the stored message associated with the specific signal by sending this specific signal.

Applicant respectfully submits that the combination of Hou and Kaplan does not disclose or suggest the unique combinations of features recited in Applicant's independent claims 1, 5 and 10.

Hou provides a voice directed communication system platform including, *inter alia*, a voice message service such that, when a system subscriber places a call to the system, “the subscriber is automatically presented with the status of his/her system 300 voice messages” (see *Id.*, col. 12, lines 24-68). The Examiner acknowledges that Hou fails “to disclose the at least one message being associated with a specific signal generated by the first terminal [i.e., the terminal which left the message]”, but alleges that the previously-cited Kaplan supplies this deficiency (see Office Action, pages 3-4). Applicant respectfully disagrees.

In particular, as explained in Applicant’s Response filed December 11, 2003, Kaplan discloses nothing more than a telephone answering system where a caller may leave for a message recipient a call-back telephone number in addition to the message itself. That is, Kaplan provides a telephone answering system which “enhances the operation of the telephone answering system by automatically dialing back a number as specified by the caller who has left a message” (*Id.* col. 2, line 66 through col. 3, line 1). Nowhere does Kaplan disclose or suggest that its message recipient can automatically receive the message left by the caller by sending to a Private Branch Exchange (BPX) 212 (which the Examiner alleges to correspond to a “switch” as recited in Applicant’s claims 1, 5 and 10) the telephone number (which the Examiner alleges to correspond to “a signal” associated with the message, as recited in claims 1, 5 and 10) left by the caller with the message. Instead, in Kaplan, the message recipient simply retrieves the message in a conventional manner, and, if the caller did leave a telephone number with the message, the message recipient is given an option to have this number automatically dialed (see *Id.*, col. 4, lines 1-13).

Thus, the combined teachings of Hou and Kaplan would result in a system where a system subscriber would be automatically notified of a pending message when placing a call to the system, as taught by Hou, and given an option to automatically dial a telephone number which may have been left by a caller who left the pending message, as taught by Kaplan.

In summary, Neither Hou, nor Kaplan, applied individually or in any reasonable combination, discloses, teaches or suggests, generating a specific signal associated with a message sent by a first terminal (a caller) such that a second terminal (message recipient) can automatically retrieve this message by sending the specific signal, as required by Applicant's independent claims 1, 5 and 10.

Accordingly, Applicant's independent claims 1, 5 and 10, as well as the dependent claims 2-4 and 6-8 (which incorporate all the novel and unobvious features of their respective base claims 1 and 5) would not have been obvious from any reasonable combination of Hou and Kaplan at least for these reasons.

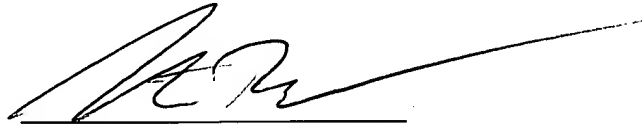
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

Response Under 37 C.F.R. § 1.111
Appln. No.: 09/840,045

Atty Dkt No. Q64014

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Stan Torgovitsky', written over a horizontal line.

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